S.B. Criminal Misc. II Bail Application No. 1932/2006
Chokha Ram alias Chhoga Ram Vs. State of Rajasthan)

Date of Order: May 17, 2006

HON'BLE MR. H.R. PANWAR, J.

Mr. M.L. Bishnoi, for the petitioner.
Mr. JPS Chaudhary, Public Prosecutor for the State.

This is second bail application. The first bail application came to be dismissed vide order dated 07-4-2006 as it was not pressed by the counsel appearing for the petitioner, however, a liberty was granted to file a fresh application after Challan is filed. Counsel for the petitioner has filed Challan papers.

Heard learned counsel for the petitioner and the Public Prosecutor appearing for the State. Perused the Challan papers.

It is contended by the learned counsel for the petitioner that the offence against the petitioner is under Section8/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Nothing has been recovered from the petitioner and the recovery of 1.070 kg. opium was from co-accused Moti Ram.

Having regard to the facts and circumstances of the case and the fact that nothing has been recovered from the present petitioner, I consider it just and proper to enlarge the accused-petitioner on bail.

Accordingly, this bail application filed under Section 439 Cr.P.C. is allowed and it is directed that petitioner Chokha Ram alias Chhoga Ram alias Chhogji S/o Lakha Ram be released on bail in FIR No. 29/2006, Police Station, Mandar, district Sirohi, provided he executes a personal bond for a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of the learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R. PANWAR), J.

mcs